

In practical operation, this section is obeyed, not according to its intention, but according to its letter, as anyone knows who has been present at the voting upon roll call bills.

There are other instances of obedience to the letter of the Constitution, while its spirit and purpose are disregarded. This, however, illustrates this class.

In conclusion, it is absolutely essential that the Constitution made, with minor exceptions, sixty-two years ago should be made to conform to the necessities of a modern state. I think it has been shown that in numerous particulars it needs revision. The General Assembly of North Carolina cannot deal adequately with the officers of the Executive Department of the State on account of restrictions contained in the present Constitution. It cannot deal adequately with the Judicial Department of the State on account of similar restrictions. Neither can it deal adequately with the subordinate governmental agencies of the State. It cannot, itself, legislate freely, on account of the restrictive provisions.

Modern constitutions have passed wholly beyond the principles upon which the original constitutions were based. This was caused by a distrust of members of the Legislature, distrust of their honest intentions, and distrust of their ability to deal with modern conditions. While this distrust may have existed in North Carolina to a greater or less degree, it has not been justified by actual experience. The truth is, the whole idea of a representative republic is the actual and immediate responsibility of public officers to the people themselves. If the people accustom themselves to scrutinizing the acts of their legislators instead of relying upon some rigid constitutional provision, they will become better citizens of our common state and their public officers will better serve them through this constant scrutiny.

The making of a constitution by a free people, jealous